

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

Claim 1 (previously presented): A valve for an implantable fluid delivery system comprising:

a fluid chamber having a fluid inlet and a fluid outlet; and

an internal magnet disposed within the fluid chamber, the internal magnet capable of movement in at least two directions, one direction along an axis and one direction rotatable about the axis, the internal magnet being moveable such that displacement of the internal magnet restricts the flow of fluid through the fluid chamber.

Claim 2 (original): A valve according to claim 1, further comprising:

an external magnet for disposition on the skin of a subject, the external magnet providing a magnetic field for displacing the internal magnet such that fluid flow through the fluid chamber is restricted when the internal magnet occupies a first position and fluid flow through the fluid chamber is not restricted when the internal magnet occupies a second position.

Claim 3 (original): A valve according to claim 2, wherein the external magnet is rotatable.

Claim 4 (previously presented): A valve according to claim 1, wherein the fluid chamber is capable of implantation in a subject's ear or part of a subject's skull.

Claim 5 (cancelled)

Claim 6 (original): A valve according to claim 1, wherein the internal magnet is formed from a biocompatible material.

Claim 7 (withdrawn): A valve according to claim 1, wherein the fluid chamber includes a first anchor and a second anchor for preventing rotation of the internal magnet.

Page 5 of 12

Claim 8 (withdrawn): A valve according to claim 7, wherein the anchors are formed from a ferromagnetic material.

Claim 9 (original): A valve according to claim 1, wherein the fluid chamber is formed from a non-ferromagnetic material.

Claim 10 (original): A valve according to claim 1, wherein the internal magnet is spherical.

Claim 11 (original): A valve according to claim 1, wherein the internal magnet is cylindrical.

Claim 12 (original): A valve according to claim 1, wherein the fluid chamber includes an anchor for securing the internal magnet in the fluid chamber.

Claim 13 (original): A valve according to claim 12, wherein one pole of the internal magnet includes one or more grooves for permitting fluid flow through the fluid chamber when the internal magnet is secured by the anchor.

Claim 14 (original): A valve according to claim 12, wherein the internal magnet is coated with a non-ferromagnetic material.

Claim 15 (original): A valve according to claim 14, wherein the non-ferromagnetic material is silicone.

Claim 16 (original): A valve according to claim 12, wherein the internal magnet is coated at one pole with a non-ferromagnetic material.

Claim 17 (original): A valve according to claim 16, wherein the coating includes one or more grooves for permitting fluid flow through the fluid chamber when the internal magnet is secured by the anchor.

Claim 18 (withdrawn): A valve according to claim 12, wherein one pole of the internal magnet includes a recess for permitting fluid flow through the fluid chamber when the internal magnet is secured by the anchor.

Claim 19 (withdrawn): A valve according to claim 12, wherein one pole of the internal magnet includes a semi-permeable material for permitting fluid flow through the fluid chamber when the internal magnet is secured by the anchor.

Claim 20 (original): A valve according to claim 12, wherein the anchor is formed of a ferromagnetic material.

Claim 21 (previously presented): A valve according to claim 1, further comprising an external indicator for checking an orientation of a magnetic field of the internal magnet.

Claim 22 (original): A valve according to claim 21, wherein the external indicator includes a compass.

Claim 23 (withdrawn): A valve according to claim 2, wherein the external magnet includes a first magnet having a magnetic moment oriented in a first direction and a second magnet having a magnetic moment oriented in a second direction such that the external magnet automatically aligns with the internal magnet.

Claim 24 (withdrawn): A valve according to claim 23, wherein the first magnet is cylindrical and the second magnet is ring-shaped.

Claim 25 (withdrawn): A valve according to claim 2, wherein the external magnet is confined in a housing such that the external magnet is capable of experiencing horizontal displacement such that it automatically aligns with the internal magnet.

Claim 26 (original): A valve according to either of claims 1 or 2, wherein the fluid delivery system includes a cochlear implant.

Claim 27 (withdrawn): A valve according to claim 1, wherein the fluid chamber including a catheter having the fluid inlet and the fluid outlet and wherein the internal magnet is moveable such that displacement of the internal magnet restricts the flow of fluid through the catheter.

Claim 28 (withdrawn): A valve according to claim 27, further comprising:

an external magnet for disposition on the skin of a subject, the external magnet providing a magnetic field for displacing the internal magnet such that fluid flow through the catheter is restricted when the internal magnet occupies a first position and fluid flow through the catheter is not restricted when the internal magnet occupies a second position.

Claim 29 (previously presented): A fluid switch for an implantable fluid delivery system comprising:

a fluid chamber having a fluid inlet and a fluid outlet; and

an internal magnet disposed within the fluid chamber, the internal magnet capable of movement in at least two directions, one direction along an axis and one direction rotatable about the axis, the internal magnet being moveable such that displacement of the internal magnet restricts the flow of fluid through the fluid chamber.

Claim 30 (original): A fluid switch according to claim 29, further comprising:

an external magnet for disposition on the skin of a subject, the external magnet providing a magnetic field for displacing the internal magnet such that fluid flow through the fluid chamber is restricted when the internal magnet occupies a first position and fluid flow through the fluid chamber is not restricted when the internal magnet occupies a second position.

Claim 31 (withdrawn): A fluid switch according to claim 29 wherein the fluid chamber includes a catheter having the fluid inlet and the fluid outlet and wherein the internal magnet is moveable such that displacement of the internal magnet restricts the flow of fluid through the catheter.

Claim 32 (withdrawn): A fluid switch according to claim 31, further comprising:

an external magnet for disposition on the skin of a subject, the external magnet providing a magnetic field for displacing the internal magnet such that fluid flow through the catheter is restricted when the internal magnet occupies a first position and fluid flow through the catheter is not restricted when the internal magnet occupies a second position.

Claims 33-34 (cancelled)